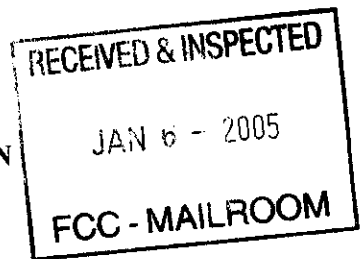


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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554



In the Matter of )

Fort Myers Broadcasting Company )  
WINK-DT, Fort Myers, Florida )

For Construction Permit for New )  
Digital Television Station on )  
Digital Channel 9 )

MB Docket No. 00-180  
RM-9956  
File No. BPCDT-19991029ADW  
Facility ID No. 22093

To: Chief, Video Division, Media Bureau

**OPPOSITION TO PETITION FOR PARTIAL RECONSIDERATION**

Fort Myers Broadcasting Company ("FMBC") opposes the Petition for Partial Reconsideration ("Petition") filed by Caloosa Television Corporation ("Caloosa") with respect to grant of the above-referenced application of Station WINK-DT, Fort Myers, Florida. Therein Caloosa requests consideration and approval of the settlement agreement entered into between FMBC and Caloosa..

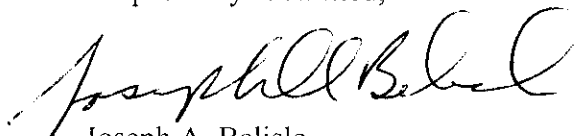
FMBC submits that Caloosa's Petition should be dismissed or denied because Caloosa is not adversely affected by grant of FMBC's application. Specifically, Caloosa has a remedy in its application proceedings for Station WBSP-CA (FCC File Nos. BLTVA-20020520AAQ and BPTVA-20030418AAE) to obtain approval of the settlement agreement between FMBC and Caloosa. In this connection, FMBC submits that it remains ready, willing and able to perform under its settlement agreement with Caloosa. Grant of FMBC's application for a construction permit for DTV Channel 9 at Fort Myers, Florida, is required under the Caloosa/FMBC settlement agreement. The real obstacle to approval of the settlement agreement is the Commission's determination in the WBSP-CA proceedings that the WBSP-CA license was forfeited pursuant to Section 312 of the Communications Act of 1934, as amended. This is a

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matter which is properly addressed in the WBSP-CA proceedings pending before the Commission. Under these circumstances, Caloosa should seek approval of the settlement agreement in the proceedings with respect to its Station WBSP-CA. Caloosa's Petition in this proceeding should be dismissed or denied.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Joseph A. Belisle". The signature is fluid and cursive, with a large, stylized "B" at the end.

Joseph A. Belisle  
Counsel for Fort Myers Broadcasting Company

January 5, 2005

Leibowitz & Associates, P.A.  
One SE Third Avenue - Suite 1450  
Miami, FL 33131  
(305) 530-1322

**CERTIFICATE OF SERVICE**

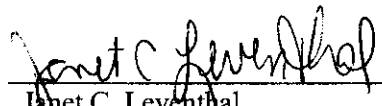
It is hereby certified that a true copy of the foregoing "Opposition to Petition for Partial Reconsideration" was served by first-class United States mail, postage prepaid, on this 5<sup>th</sup> day of January 2005 upon the following:

Jonathan Blake, Esq.  
Covington & Burling  
1201 Pennsylvania Avenue, N.W.  
Washington, DC 20004-2401  
Counsel for Post-Newsweek Stations, Florida, Inc.

Dennis J. Kelly, Esq.  
Law Office of Dennis J. Kelly  
P.O. Box 6648  
Annapolis, MD 21401

Kevin F. Reed, Esq.  
Dow, Lohnes & Albertson, PLC  
1200 New Hampshire Avenue, N.W., Suite 800  
Washington, DC 20036  
Counsel for Cox Broadcasting, Inc.

Roy R. Russo, Esq.  
Cohn & Marks, LLP  
1920 N Street, N.W., Suite 300  
Washington, DC 20036-1622  
Counsel for Montclair Communications, Inc.

  
Janet C. Leventhal